

**SUPREME COURT MINUTES  
MONDAY, FEBRUARY 1, 2010  
SAN FRANCISCO, CALIFORNIA**

**S156598**      B201396 Second Appellate District, Div. 3      **BROWN, WINFIELD &  
CANZONERI, INC. v. S.C.  
(GREAT AMERICAN  
INSURANCE COMPANY)**

Opinion filed: Judgment affirmed in full

In light of the foregoing conclusions we reach, the Court of Appeal did not err in issuing its August 28, 2007, order comprising the suggestive *Palma* notice here at issue. As noted, subsequent settlement of the litigation underlying Brown's writ petition has rendered moot the relief sought in that petition. We therefore affirm the Court of Appeal's judgment dismissing the writ proceeding.

Majority Opinion by George, C. J.

-- joined by Kennard, Baxter, and Chin, JJ.

Concurring and Dissenting Opinion by Werdegar, J.

-- joined by Moreno and Corrigan, JJ.

**S156933/S157631/S157633/S157634**

**E.J. ET AL., ON H.C.**

Opinion filed

The claims that section 3003.5(b), construed as a statutory parole condition, is being impermissibly retroactively enforced as to these petitioners, and as thus enforced, constitutes an ex post facto law under the state and federal Constitutions, are denied. For consideration of petitioners' remaining claims, the petition and orders to show cause previously issued are hereby ordered transferred to the Courts of Appeal as follows: *In re E.J. on Habeas Corpus*, S156933, to the First District Court of Appeal; *In re S.P. on Habeas Corpus*, S157631, to the Sixth District Court of Appeal; *In re J.S. on Habeas Corpus*, S157633, and *In re K.T. on Habeas Corpus*, S157634, to Division One of the Fourth District Court of Appeal, with directions that each matter be transferred to the trial court in the county to which the petitioner has been paroled for further proceedings consistent with the views expressed herein. (Cal. Rules of Court, rule 10.1000(a).) The order staying enforcement of section 3003.5(b) as to these four petitioners, previously issued on October 10, 2007, shall remain in effect.

Majority Opinion by Baxter, J.

-- joined by George, C. J., Chin, and Corrigan, JJ.

Concurring Opinion by Werdegar, J.

Dissenting Opinion by Moreno, J.

-- joined by Kennard, J.

**S179531****JENNINGS (THADDEUS) v.  
S.C. (PEOPLE)**

Transferred to Court of Appeal, First Appellate District.

The above-entitled matter is transferred to the Court of Appeal, First Appellate District.

**S179650****BROWNLEE (TERRENCE) v.  
S.C. (PEOPLE)**

Transferred to Court of Appeal, Fifth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District.

**S174574****ABRAMS ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, DAVID ABRAMS, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S175870****XANTHOPOULOS ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, ERIC XANTHOPOULOS, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S175875****MERDZINSKI ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, THOMAS MERDZINSKI, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and

recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S175878**

**CHAMBERLIN ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, PETER CHAMBERLIN, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S176220**

**KATSNELSON ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, EDWARD KATSNELSON, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S176221**

**DUKE ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, CHARLA RAE DUKE, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S176228****DONCEV ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, HARVEY DONCEY, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S176255****LEFEBVRE ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, JAMES LEFEBVRE, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S176261****KNOBLOCK ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, KENNETH KNOBLOCK, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S176674****NUDELMAN ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, ROBERT NUDELMAN, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and

recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S176682**

**COLON-VASQUEZ ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, SYLVIA COLON-VASQUEZ, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S176684**

**QUINT ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, HOLLY QUINT, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S177186**

**BORGERSON ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, ERIC BORGERSON, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S177767****ROTH ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, MITCHELL ROTH, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S177769****LEE ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, THOMAS RYAN LEE, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S177770****KENDALL ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, SCOTT KENDALL, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S177772****BUCKLEY ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, MARGUERITE BUCKLEY, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a

money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S177996****DILLON ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, CHRISTIAN DILLON, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S177998****JONES ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, JEFFREY M. JONES, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S177999****KHOUGAZ ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, GREGORY KHOUGAZ, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S178000****KRAMER ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, EVELYN KRAMER, refund any part of fees that have not been

earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S178002****LOBELLO ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, MARK LOBELLO, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S178003****WILEY ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, ROBERT, WILEY, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S178004****CHRISTISON ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, KENNETH CHRISTISON, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.



**S178671****PURTICH ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, RICHARD PURTICH, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S178672****READ III ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, JOHN READ III, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S178673****TANG ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, YU-EN TANG, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S178871****HUGHES ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, KEVIN HUGHES, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S178876****EDWARDS ON  
RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, CAMERON EDWARDS, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.

**S179200****ANZ ON RESIGNATION**

Remanded to State Bar

The above-entitled matters are returned to the State Bar for further consideration. For each of these matters, the State Bar is directed to consider the six grounds for rejection of resignations specified in California Rules of Court, rule 9.21(d) prior to its 2010 amendment, including the requirement that the attorney, NABILE JOHN ANZ, refund any part of fees that have not been earned (Cal. Rules of Court, rule 9.20(a)(3)), and to report to this court on its review and recommendations. In addition, the State Bar is directed to report on its ability to enforce as a money judgment any expenditures by the State Bar Client Security Fund in the individual cases.